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OFFICE OF PETITIONS

In re Application of
Robert Stieper Milligan
Application No. 10/756,373
Filed: January 14, 2004
Attorney Docket No. 57282.2

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 10, 2009, to revive the above-identified application.

This application became abandoned for failure to timely file a reply to the non-final Office action of November 23, 2007. A Notice of Abandonment was mailed on August 6, 2008.

The instant petition is not signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Sean P. Connolly appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts. If Mr. Connolly desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Notice of Appeal with the \$270 fee; (2) the petition fee of \$810; and (3) a proper statement of unintentional delay. Therefore, the petition is granted.

This application is being referred to Technology Center Art Unit 1794 for review of the appeal brief filed on October 22, 2008.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

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